



**Zoning Public Hearing  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: Z-9  
AGENDA DATE: Thu 10/20/2005  
PAGE: 1 of 1**

**SUBJECT:** C14-05-0114 - 7109 Bethune - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7109 Bethune (Buttermilk Watershed) from family residence (SF-3) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To deny community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Eddy Flores. Agent: Nash Gonzalez. City Staff: Robert Heil, 974-2330.

**REQUESTING** Neighborhood Planning  
**DEPARTMENT:** and Zoning

**DIRECTOR'S**  
**AUTHORIZATION:** Greg Guernsey

**ZONING CHANGE REVIEW SHEET****CASE:** C14-05-0114**Z.A.P. Date:** September 6, 2005**ADDRESS:** 7109 Bethune

September 20, 2005

**OWNER/APPLICANT:** Eddy Flores**AGENT:** Nash Gonzalez**ZONING FROM:** SF-3**TO:** GR-CO**AREA:** 0.28 acres**SUMMARY STAFF RECOMMENDATION:**

Staff recommends denial of the request.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

September 6, 2005: Postponed to September 20 at the request of applicant.

September 20, 2005: *APPROVED STAFF'S RECOMMENDATION TO DENY GR-CO ZONING. [J.M.; J.D 2<sup>ND</sup>] (9-0)***DEPARTMENT COMMENTS:**

The request is from Family Residence (SF-3) to Community Commercial Conditional Overlay (GR-CO) to allow the renovation of a single-family residence into a photographic studio. The offered conditional overlay would limit vehicle trips to 2000 per day or less.

The site is in a single-family neighborhood, zoned SF-3 with minor exceptions. Although the lot does have frontage on St. John's Avenue, the lot faces the interior street of Bethune.

Staff recommends denial of the request.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3	Single Family Residence
<i>North</i>	SF-3	Single Family Residences
<i>South</i>	SF-3 (and 2 commercial lots)	Single Family Residences
<i>East</i>	SF-3	Single Family Residences
<i>West</i>	SF-3	Single Family Residences

**AREA STUDY:** The property lies within the proposed St. John's Neighborhood Planning area. No date has been set for the beginning of this plan.

**TIA:** N/A

**WATERSHED:** Buttermilk Branch

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

**REGISTERED NEIGHBORHOOD AND COMMUNITY ORGANIZATIONS**

- Edward Joseph Developments, LTD
- Austin Neighborhoods Council
- NorthEast Action Group
- Taking Action Inc.
- St. Johns Advisory Board
- Villas of Coronado Hills Homeowner's Assn.
- St. Johns Neighborhood Assn.

**SCHOOLS: (AISD)**

Pickle Elementary School

Webb Middle School

Reagan High School

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
E. St. Johns Ave.	90'	44'	Arterial	Yes	# 8	No
Bethune Ave.	50'	30'	Local	Yes	No	No

**CITY COUNCIL DATE:**

October 20, 2005:

**ACTION:**

**ORDINANCE READINGS:**

1<sup>st</sup>

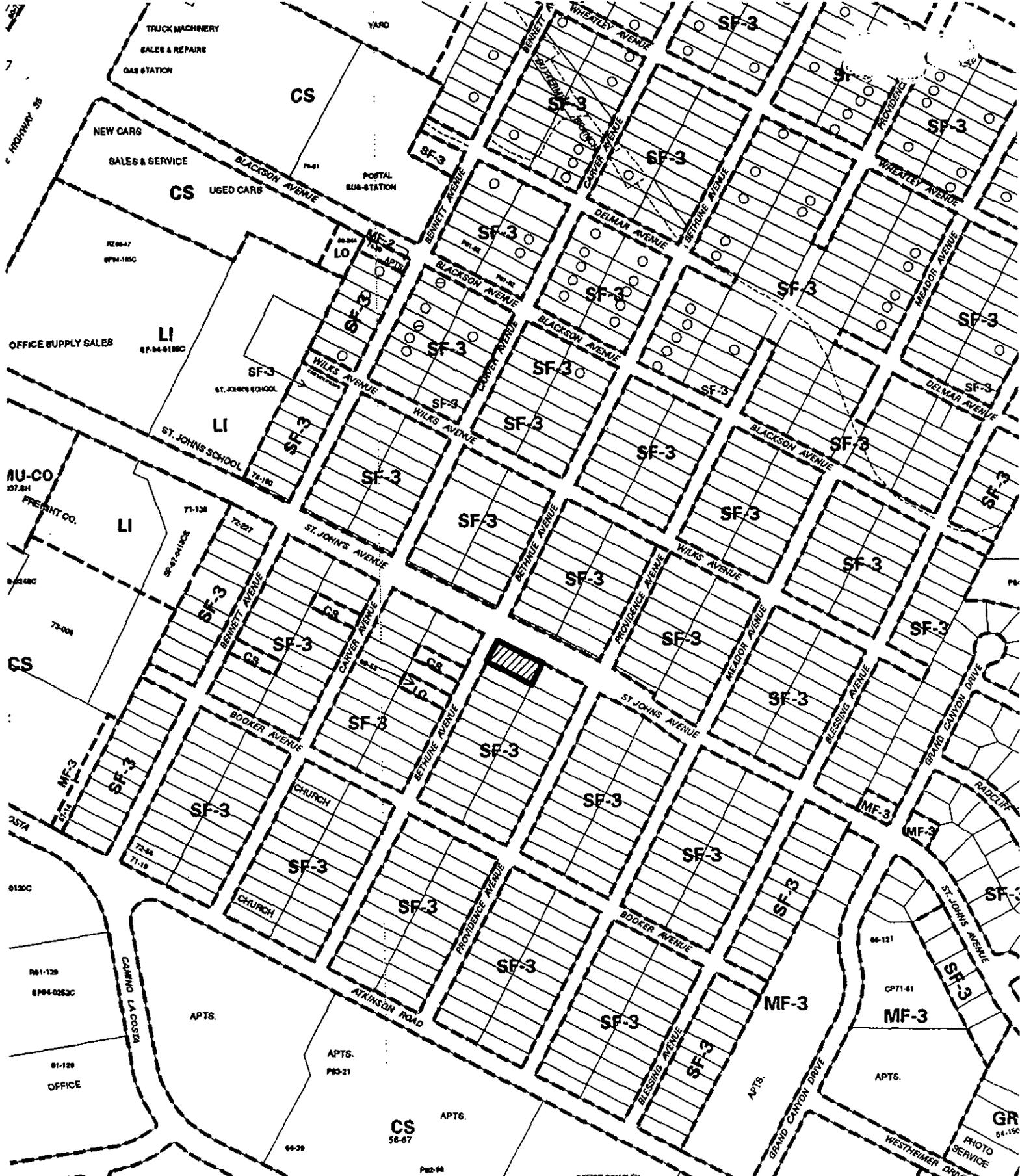
2<sup>nd</sup>

3<sup>rd</sup>

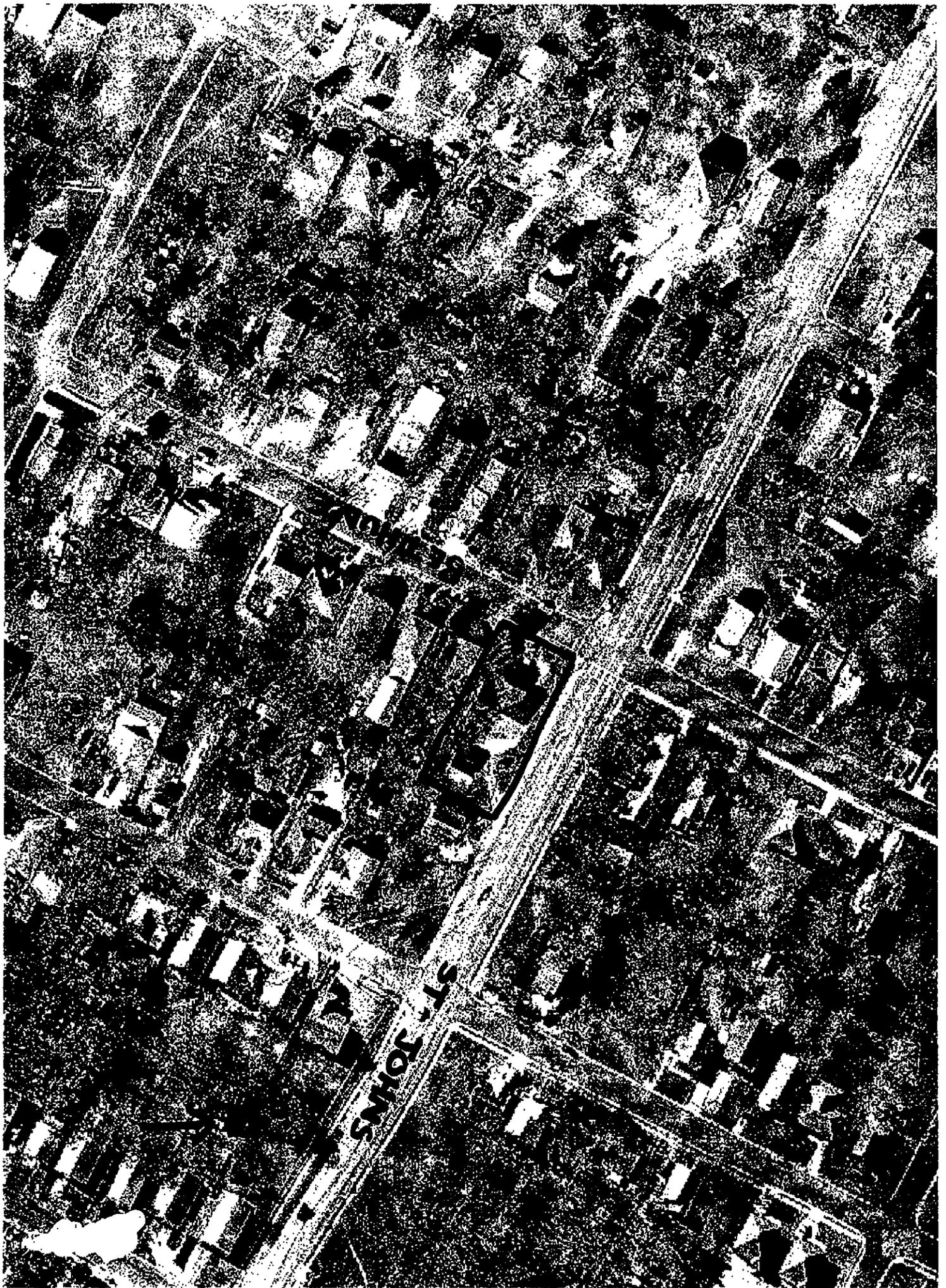
**ORDINANCE NUMBER:**

**CASE MANAGER:** Robert Heil  
e-mail address: robert.heil@ci.austin.tx.us

**PHONE:** 974-2330



 1" = 400'	SUBJECT TRACT 	<b>ZONING</b>  DATE: 05-07  INTLS: SM	<b>CITY GRID REFERENCE NUMBER</b>  L27	
	PENDING CASE 			<b>CASE #:</b> C14-05-0114
	ZONING BOUNDARY 			<b>ADDRESS:</b> 7109 BETHUNE AVE
	CASE MGR: R. HEIL			<b>SUBJECT AREA (acres):</b> 0.280







**SUMMARY STAFF RECOMMENDATION**

**C14-05-0114**

Staff recommends denial of the request.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

1. *Zoning changes should promote compatibility with adjacent and nearby uses.*

The zoning of GR on an internal neighborhood street would not promote compatibility with adjacent single family residences

2. *Granting of the request should result in an equal treatment of similarly situated properties.*

The site is in a single-family neighborhood, zoned SF-3 with minor exceptions.

3. *No change in conditions has occurred within the area indicating that there is a basis for changing the originally established zoning and/ or development restrictions for the property.*

**EXISTING CONDITIONS**

The site is a standard residential lot, 0.28 acres in size, developed with an existing single family residence. It is located in an established residential neighborhood. The site does not have any physical constraints to its redevelopment.

**Site Plan**

The site is subject to compatibility standards. Along the north, south, east and west property line, the following standards apply:

- No structure may be built within 20 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking is allowed 13 feet of the property line.
- No driveways are allowed within 8 feet of the property line.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- Additional design regulations will be enforced at the time a site plan is submitted.

*Nikki Hoelter 974-2863*

**Transportation**

The trip generation under the requested zoning is estimated to be 1,730 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

If the zoning is granted, development should be limited through a conditional overlay to less than 300 vehicle trips per day.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
E. St. Johns Ave.	90'	44'	Arterial	Yes	# 8	No
Bethune Ave.	50'	30'	Local	Yes	No	No

*Amy Link 974-2628*

**Water and Wastewater**

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or utility adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City fees.

*Paul Urbanek 974-3017*

**Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Buttermilk Branch Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. Impervious cover is not limited in this watershed class. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm.

According to flood plain maps, there is no flood plain within the project area.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

*Christopher Dolan 974-1881*